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10/524,852	02/18/2005	Ayaka Hamanaga	2005-0259A	3545

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EXAMINER

FIGUEROA, MARISOL

ART UNIT	PAPER NUMBER
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2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/524,852

Applicant(s)

HAMANAGA ET AL.

Examiner

Marisol Figueroa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 5-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 5-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to: See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/18/2006 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1 and 5-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **Claim 12** is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 12 is drawn to a "computer data signal" *per se* as recited in the preamble and as such is non-statutory subject matter. See MPEP § 2106.IV.B.1.a. A "data signal" recorded in some computer readable medium, e.g., memory, is a non-functional descriptive material and it is not statutory since there is no requisite functionality is present to satisfy the practical application requirement. A "data signal" is not a computer component and it does not become statutory by

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merely recording it on a computer readable medium, e.g., memory. See, Diehr, 450 U.S. at 185-186, 209 USPQ at 8. See also, in re Johnson, 589 F.2d 1070, 1077, 200 USPQ 199, 206 (CCPA 1978)).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1, and 10-14** are rejected under 35 U.S.C. 103(a) as being unpatentable over HAMADA et al. (US 6, 980, 794 B1) in view of MAGUIRE et al. (US 2005/0130631).

Regarding claim 1, Hamada discloses a mobile terminal having a communication function, the mobile terminal comprising:

a detection section operable to detect an incoming or outgoing phone call (Fig. 2; col. 3, line 65 – col. 6, lines 1-24; the radio terminal comprises a controller 205 with an outgoing/incoming call section for the detection and controlling of outgoing or incoming calls);

an information acquisition section (i.e., timekeeping section) operable to acquire related information concerning an incoming or outgoing phone call in response to detection of the incoming or outgoing phone by the detection section (Figs. 2 and 7; col. 3, line 65 – col. 6, lines 1-24; the controller also comprises a timekeeping section which acquires time information related to the incoming and outgoing calls, particularly the start and end times of the incoming/outgoing calls as shown in figure 7);

a device section (i.e., recognition section) operable to acquire environment information concerning surroundings of the mobile terminal or a state of the mobile terminal in response to

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detection of the incoming or outgoing phone call by the detection section (Figs. 2, 4, 5, and 7; col. 3, line 52 – col. 6, lines 1-24; col. 5, line 58 - col. 6, lines 1-33 ; col. 7, lines 36-64; the radio terminal acquires network area information at the times of an incoming or outgoing call, which comprises the network environment where the radio terminal is located, e.g., zone position);

a history generation section (i.e., creation section) operable to generate history information in which the related information acquired by the information acquisition section and the environment information acquired by the information acquired by the device section are kept in association with at least a telephone number of the incoming or outgoing phone call as a piece of the history information (Figs. 2, 7, and 8; col. 3, line 65 – col. 6, lines 1-24; col. 8, lines 38-49; the controller further comprises a creation section that creates communication history information (Fig. 7) for the radio terminal comprising information in regard to a zone position of the radio terminal (i.e., environment information), the start and end of communications (i.e., information related to an outgoing/incoming call), etc., stored in association with the telephone numbers of the incoming or outgoing call as illustrated in figure 7);

a history storing section operable to store the history section generated by the history generation section (col. 8, lines 43-49; communication history information is stored in the RAM 206).

But, Hamada does not particularly disclose wherein the mobile terminal comprises a history notification section operable to notify a user of the mobile terminal of the information (e.g., related and environmental information) contained in the piece of the history information, in response to an incoming or outgoing phone call from or to the telephone number contained in the piece of the history information stored in the history information section.

However, Maguire's invention is related to a method for displaying a history of communication events in a mobile device associated with the correspondent of an incoming communications event (i.e., incoming call). The mobile device comprises a call event database (Fig. 5; paragraphs [0033] and [0036]) that includes information related to a call or other types of communication events, such as the time the call was placed and the duration of the call. And when a communications event is received is added to the call event database, and then upon the receipt of communications event (i.e., incoming call), the mobile device uses the correspondent identification (i.e., telephone number) to retrieve and display a communications event history from the database concerning the correspondent (see abstract; paragraph [0012], lines 1-24; paragraphs [0013],[0027]-[0028], [0030]-[0031], and [0036]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify Hamada to include a history notification section in order to notify the user of the history information in response with an incoming call or outgoing call from or to the telephone number contained in the piece of the history information contained in the history storing section, as suggested by Maguire, because this gives the user the advantage of determining the context or circumstances of a prior communication event associated with the incoming communication (Abstract).

Regarding claim 10, Hamada discloses an incoming/outgoing call history management method for managing a communication history of a mobile terminal, the incoming/outgoing call history management method comprising:

detecting an incoming or outgoing phone call from or to another mobile terminal (Figs. 2, 4, and 7; col. 3, line 65 – col. 6, lines 1-33; the radio terminal detects outgoing and incoming calls);

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acquiring related information concerning an incoming or outgoing phone call in response to the detection of the incoming or outgoing phone call (Figs. 2 and 7; col. 3, line 65 – col. 6, lines 1-24; the radio terminal controller acquires time information related to the incoming and outgoing calls, particularly the start and end times of the incoming/outgoing calls as shown in figure 7);

acquiring environment information concerning surroundings of the mobile terminal or a state of the mobile terminal in response to detection of the incoming or outgoing phone call (Figs. 2, 4, 5, and 7; col. 3, line 52 – col. 6, lines 1-24; col. 5, line 58 - col. 6, lines 1-33 ; col. 7, lines 36-64; the radio terminal acquires network area information at the times of an incoming or outgoing call, which comprises the network environment where the radio terminal is located, i.e., zone position);

generating history information in which the related information and the environment information are kept in association with at least a telephone number of the incoming or outgoing phone call as a piece of the history information (Figs. 2, 7, and 8; col. 3, line 65 – col. 6, lines 1-24; col. 8, lines 38-49; the controller further creates communication history information (Fig. 7) for the radio terminal comprising information in regard to a zone position of the radio terminal (i.e., environment information), the start and end of communications (i.e., information related to an outgoing/incoming call), etc., stored in association with the telephone numbers of the incoming or outgoing call as illustrated in figure 7);

storing the generated history information (col. 8, lines 43-49; the created communication history information is stored in the RAM 206).

But, Hamada does not particularly disclose the step of notifying a user of the information (e.g., related and environmental information) contained in the piece of the history information, in response to an incoming or outgoing phone call from or to the telephone number contained in the piece of the history information stored in the history information section.

However, Maguire's invention is related to a method for displaying a history of communication events in a mobile device associated with the correspondent of an incoming communications event (i.e., incoming call). The mobile device comprises a call event database (Fig. 5; paragraphs [0033] and [0036]) that includes information related to a call or other types of communication events, such as the time the call was placed and the duration of the call. And when a communications event is received is added to the call event database, and then upon the receipt of communications event (i.e., incoming call), the mobile device uses the correspondent identification (i.e., telephone number) to retrieve and display a communications event history from the database concerning the correspondent (see abstract; paragraph [0012], lines 1-24; paragraphs [0013],[0027]-[0028], [0030]-[0031], and [0036]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify Hamada to include the step of notifying a user of the history information in response with an incoming call or outgoing call from or to the telephone number contained in the piece of the history information contained in the history storing section, as suggested by Maguire, because this gives the user the advantage of determining the context or circumstances of a prior communication event associated with the incoming communication (Abstract).

Regarding claim 11, Hamada discloses a program embodied on a computer readable medium (col. 4, lines 9-16) for causing a mobile terminal to perform an incoming/outgoing call history management method for managing a communication history of the mobile terminal, the program causing the mobile terminal to execute:

detecting an incoming or outgoing phone call from or to another mobile terminal (Figs. 2, 4, and 7; col. 3, line 65 – col. 6, lines 1-33; the radio terminal detects outgoing and incoming calls);

acquiring related information concerning an incoming or outgoing phone call in response to the detection of the incoming or outgoing phone call (Figs. 2 and 7; col. 3, line 65 – col. 6, lines 1-24; the radio terminal controller acquires time information related to the incoming and outgoing calls, particularly the start and end times of the incoming/outgoing calls as shown in figure 7);

acquiring environment information concerning surroundings of the mobile terminal or a state of the mobile terminal in response to detection of the incoming or outgoing phone call (Figs. 2, 4, 5, and 7; col. 3, line 52 – col. 6, lines 1-24; col. 5, line 58 - col. 6, lines 1-33 ; col. 7, lines 36-64; the radio terminal acquires network area information at the times of an incoming or outgoing call, which comprises the network environment where the radio terminal is located, i.e., zone position);

generating history information in which the related information and the environment information are kept in association with at least a telephone number of the incoming or outgoing phone call as a piece of the history information (Figs. 2, 7, and 8; col. 3, line 65 – col. 6, lines 1-24; col. 8, lines 38-49; the controller further creates communication history information (Fig. 7) for the radio terminal comprising information in regard to a zone position of the radio terminal (i.e., environment information), the start and end of communications (i.e., information related to an outgoing/incoming call), etc., stored in association with the telephone numbers of the incoming or outgoing call as illustrated in figure 7);

storing the generated history information (col. 8, lines 43-49; the created communication history information is stored in the RAM 206).

But, Hamada does not particularly disclose the step of notifying a user of the information (e.g., related and environmental information) contained in the piece of the history information, in response to an incoming or outgoing phone call from or to the telephone number contained in the piece of the history information stored in the history information section.

However, Maguire's invention is related to a method for displaying a history of communication events in a mobile device associated with the correspondent of an incoming communications event (i.e., incoming call). The mobile device comprises a call event database (Fig. 5; paragraphs [0033] and [0036]) that includes information related to a call or other types of communication events, such as the time the call was placed and the duration of the call. And when a communications event is received is added to the call event database, and then upon the receipt of communications event (i.e., incoming call), the mobile device uses the correspondent identification (i.e., telephone number) to retrieve and display a communications event history from the database concerning the correspondent (see abstract; paragraph [0012], lines 1-24; paragraphs [0013],[0027]-[0028], [0030]-[0031], and [0036]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify Hamada to include the step of notifying a user of the history information in response with an incoming call or outgoing call from or to the telephone number contained in the piece of the history information contained in the history storing section, as suggested by Maguire, because this gives the user the advantage of determining the context or circumstances of a prior communication event associated with the incoming communication (Abstract).

Regarding claim 12, Hamada discloses a computer data signal embodied in a memory for causing a mobile terminal to perform an incoming/outgoing call history management method for managing a communication history of the mobile terminal, the computer data signal comprising:

a detecting source code segment for detecting an incoming or outgoing phone call from or to another mobile terminal (Figs. 2, 4, and 7; col. 3, line 65 – col. 6, lines 1-33; the radio terminal detects outgoing and incoming calls);

an acquiring source code segment for acquiring related information concerning an incoming or outgoing phone call in response to the detection of the incoming or outgoing phone call (Figs. 2 and 7; col. 3, line 65 – col. 6, lines 1-24; the radio terminal controller acquires time information related to the incoming and outgoing calls, particularly the start and end times of the incoming/outgoing calls as shown in figure 7);

a device section source code segment for acquiring environment information concerning surroundings of the mobile terminal or a state of the mobile terminal in response to detection of the incoming or outgoing phone call (Figs. 2, 4, 5, and 7; col. 3, line 52 – col. 6, lines 1-24; col. 5, line 58 – col. 6, lines 1-33 ; col. 7, lines 36-64; the radio terminal acquires network area information at the times of an incoming or outgoing call, which comprises the network environment where the radio terminal is located, i.e., zone position);

a generating source code segment for generating history information in which the related information and the environment information are kept in association with at least a telephone number of the incoming or outgoing phone call as a piece of the history information (Figs. 2, 7, and 8; col. 3, line 65 – col. 6, lines 1-24; col. 8, lines 38-49; the controller further creates communication history information (Fig. 7) for the radio terminal comprising information in regard to a zone position of the radio terminal (i.e., environment information), the start and end of communications (i.e., information related to an outgoing/incoming call), etc., stored in association with the telephone numbers of the incoming or outgoing call as illustrated in figure 7);

a storing source code segment for storing the generated history information (col. 8, lines 43-49; the created communication history information is stored in the RAM 206).

But, Hamada does not particularly disclose comprising a notifying source code segment for notifying a user of the information (e.g., related and environmental information) contained in the

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piece of the history information, in response to an incoming or outgoing phone call from or to the telephone number contained in the piece of the history information stored in the history information section.

However, Maguire's invention is related to a method for displaying a history of communication events in a mobile device associated with the correspondent of an incoming communications event (i.e., incoming call). The mobile device comprises a call event database (Fig. 5; paragraphs [0033] and [0036]) that includes information related to a call or other types of communication events, such as the time the call was placed and the duration of the call. And when a communications event is received is added to the call event database, and then upon the receipt of communications event (i.e., incoming call), the mobile device uses the correspondent identification (i.e., telephone number) to retrieve and display a communications event history from the database concerning the correspondent (see abstract; paragraph [0012], lines 1-24; paragraphs [0013],[0027]-[0028], [0030]-[0031], and [0036]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify Hamada to include a notifying source code segment for notifying a user of the history information in response with an incoming call or outgoing call from or to the telephone number contained in the piece of the history information contained in the history storing section, as suggested by Maguire, because this gives the user the advantage of determining the context or circumstances of a prior communication event associated with the incoming communication (Abstract).

Regarding claim 13, Hamada discloses an integrated circuit for a mobile terminal having a communication function, the integrated circuit comprising circuitry functioning as:

a detection section operable to detect an incoming or outgoing phone call (Fig. 2; col. 3, line 65 – col. 6, lines 1-24; the radio terminal comprises a controller 205 with an outgoing/incoming call section for the detection and controlling of outgoing or incoming calls);

an information acquisition section (i.e., timekeeping section) operable to acquire related information concerning an incoming or outgoing phone call in response to detection of the incoming or outgoing phone by the detection section (Figs. 2 and 7; col. 3, line 65 – col. 6, lines 1-24; the controller also comprises a timekeeping section which acquires time information related to the incoming and outgoing calls, particularly the start and end times of the incoming/outgoing calls as shown in figure 7);

a device section (i.e., recognition section) operable to acquire environment information concerning surroundings of the mobile terminal or a state of the mobile terminal in response to detection of the incoming or outgoing phone call by the detection section (Figs. 2, 4, 5, and 7; col. 3, line 52 – col. 6, lines 1-24; col. 5, line 58 - col. 6, lines 1-33 ; col. 7, lines 36-64; the radio terminal acquires network area information at the times of an incoming or outgoing call, which comprises the network environment where the radio terminal is located, e.g., zone position);

a history generation section (i.e., creation section) operable to generate history information in which the related information acquired by the information acquisition section and the environment information acquired by the information acquired by the device section are kept in association with at least a telephone number of the incoming or outgoing phone call as a piece of the history information (Figs. 2, 7, and 8; col. 3, line 65 – col. 6, lines 1-24; col. 8, lines 38-49; the controller further comprises a creation section that creates communication history information (Fig. 7) for the radio terminal comprising information in regard to a zone position of the radio terminal (i.e., environment information), the start and end of communications (i.e., information related to an

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outgoing/incoming call), etc., stored in association with the telephone numbers of the incoming or outgoing call as illustrated in figure 7);

a history storing section operable to store the history section generated by the history generation section (col. 8, lines 43-49; communication history information is stored in the RAM 206).

But, Hamada does not particularly disclose wherein the integrated circuit comprises circuitry functioning as a history notification section operable to notify a user of the mobile terminal of the information (e.g., related and environmental information) contained in the piece of the history information, in response to an incoming or outgoing phone call from or to the telephone number contained in the piece of the history information stored in the history information section.

However, Maguire's invention is related to a method for displaying a history of communication events in a mobile device associated with the correspondent of an incoming communications event (i.e., incoming call). The mobile device comprises a call event database (Fig. 5; paragraphs [0033] and [0036]) that includes information related to a call or other types of communication events, such as the time the call was placed and the duration of the call. And when a communications event is received is added to the call event database, and then upon the receipt of communications event (i.e., incoming call), the mobile device uses the correspondent identification (i.e., telephone number) to retrieve and display a communications event history from the database concerning the correspondent (see abstract; paragraph [0012], lines 1-24; paragraphs [0013],[0027]-[0028], [0030]-[0031], and [0036]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify Hamada to comprise circuitry functioning as a history notification section operable to notify the user of the history information in response with an incoming call or

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outgoing call from or to the telephone number contained in the piece of the history information contained in the history storing section, as suggested by Maguire, because this gives the user the advantage of determining the context or circumstances of a prior communication event associated with the incoming communication (Abstract).

Regarding claim 14, the combination of Hamada and Maguire disclose the mobile terminal according to claim 1, Hamada discloses wherein, the environment information is at least one of still image information representing the surroundings of the mobile terminal, moving picture information representing the surroundings of the mobile terminal, audio information representing the surroundings of the mobile terminal, position information representing the state of the mobile terminal, viewed program information representing the state of the mobile terminal, and open/close information representing the state of the mobile terminal (Fig. 7; i.e., zone position of the mobile terminal at the times of an incoming or outgoing call).

7. **Claims 5, and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over HAMADA et al. in view of MAGUIRE et al., and further in view of BROWN et al. (US 7,010,288 B2).

Regarding claim 15, the combination of Hamada and Maguire disclose the mobile terminal according to claim 1, but fails to particularly disclose further comprising a message storing section operable to store a plurality of answering messages, wherein, the information acquisition section is operable to acquire from the message storing section an answering message used to answer the incoming phone call as the related information, and the history storing section is operable to store the answering message acquired by the information acquisition section in association with the telephone number of the incoming phone call.

However, these features are well known in the art and Brown is evidence of the fact. Brown teaches a system and method for providing an automatic response to a telephone call in where a user of a wireless phone may select one or more automatic response in the form of pre-recorded messages that will be played to a caller when an incoming telephone call is received. The auto-response may be used when the user of the wireless phone desires to ignore an incoming call and have the call automatically responded to. Furthermore, the calls that were automatically responded are logged so that the user may see which calls were missed and also the particular auto-response that was used to respond may also be logged (Abstract; col. 2, lines 28-56; col. 4, lines 23-39; col. 5, line 4 – col. 6, lines 1-33).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify the combination of Hamada and Maguire to incorporate in the mobile station a message storing section operable to store a plurality of answering messages, wherein, the information acquisition section is operable to acquire from the message storing section an answering message used to answer the incoming phone call as the related information, and the history storing section is operable to store the answering message acquired by the information acquisition section in association with the telephone number of the incoming phone call, as suggested by Brown, in order to provide an automatic response to received calls so that the user can ignore the calls without disturbing any other persons.

Regarding claim 5, the combination of Hamada, Maguire, and Brown disclose the mobile terminal according to claim 15, Brown discloses wherein, the history storing section is further operable to store information indicating whether or not the telephone number contained in the piece of history information has been redialed, and at a time of the incoming or outgoing call, the history notification section is operable to notify the user of the answering message associated with

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the piece of the history information containing the telephone number only if the telephone number has not yet been redialed (see col. 6, lines 28-33).

8. **Claims 6 and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over HAMADA et al. in views of MAGUIRE et al. and BROWN et al., and further in view of MAKELA et al. (US 6,301,338 B1).

Regarding claim 6, the combination of Hamada, Maguire, and Brown disclose the mobile terminal according to claim 15, but does not particularly disclose wherein, the message storing section is further operable to store alarm information specifying a time at which to notify with an alarm in connection with the answering message, and the history notification section is operable to notify the user of the answering message associated with the piece of the history information which has reached the time specified by the alarm information.

However, Makela teaches a communication device comprising a message function that sends a reply message in response to an incoming call in a situation where the user can't answer the call him/herself, also time information can be included in the reply message in order to express at which time by the clock or after a how long time the receiving party is reachable (see abstract). In addition, the caller ID data of the received call can be stored automatically and at the same time, the device can store an automatic reminder (i.e., alarm) telling, after a certain time, the user to call the number in question (see col. 6, lines 10-21).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to store alarm information to notify the user with an alarm in connection with the answering message, as suggested by Makela, in order to remind the user of the time that will be available to respond to the missed or unanswered call.

Regarding claim 7, the combination of Hamada, Maguire, and Brown disclose the mobile terminal according to claim 5, but does not particularly disclose wherein, the message storing section is further operable to store alarm information specifying a time at which to notify with an alarm in connection with the answering message, and the history notification section is operable to notify the user of the answering message associated with the piece of the history information which contains the telephone number that has not yet been redialed and which has reached the time specified by the alarm information.

However, Makela teaches a communication device comprising a message function that sends a reply message in response to an incoming call in a situation where the user can't answer the call him/herself, also time information can be included in the reply message in order to express at which time by the clock or after a how long time the receiving party is reachable (see abstract). In addition, the caller ID data of the received call can be stored automatically and at the same time, the device can store an automatic reminder (i.e., alarm) telling, after a certain time, the user to call the number in question (see col. 6, lines 10-21).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to store alarm information to notify the user with an alarm in connection with the answering message, as suggested by Makela, in order to remind the user of the time that will be available to respond to the missed or unanswered call.

9. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over HAMADA et al. in views of MAGUIRE et al. and BROWN et al., and further in view of NISHIYAMA et al. (US 6,347,225 B1).

Regarding claim 8, the combination of Hamada, Maguire, and Brown disclose the mobile terminal according to claim 5, but does not particularly disclose wherein, if a number of pieces of the

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history information stored in the history storing section exceeds a predetermined maximum number, the history notification section is operable to automatically delete a piece of the history information which contains an already redialed telephone number and which has an oldest time of reception/calling.

However, this feature is well known in the art and Nishiyama is evidence of the fact. Nishiyama teaches a radio telephone system that with a telephone number memory that stores telephone numbers and a response message memory to store response messages corresponding to the telephone numbers. In addition it contains a memory for storing telephone numbers that are not responded to with response messages and when is over the storing capacity, the oldest telephone number is erased to store the newest telephone number (see abstract; col. 3, line 61 - col. 4, lines 1-3).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to automatically delete a piece of the history information which has the oldest time of reception/calling, as suggested by Nishiyama, in order to free up memory to store the newest piece of history.

10. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over HAMADA et al. in views of MAGUIRE et al. and BROWN et al., and further in view of well known prior art (MPEP 2144.03).

Regarding claim 9, the combination of Hamada, Maguire, and Brown disclose the mobile terminal according to claim 5, but does not particularly disclose wherein, when a piece of the history information which contains a telephone number that has not yet been redialed is nominated for deletion, the history notification section is operable to present a message to the user to seek approval to delete the piece of the history information.

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However, is notoriously well known in the art to present a message to a user to seek approval to delete a piece of information, in order warn the user of the deletion of an important piece of information that the user might want to save.

Prior Art of Record

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) BORK et al. (US 2002/0010008 A1) – Wireless communication device having intelligent alerting system.

(b) MATSUTAKA (US 2005/0170817 A1) - Communication apparatus and reception history deleting method.

(b) TOMARI et al. (US 2001/0042103 A1) – Information terminal, server, information display system and information display method.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marisol Figueroa whose telephone number is (571) 272-7840. The examiner can normally be reached on Monday Thru Friday 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Art Unit 2617


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